

ARIZONA CONSTITUTION

Article 4 Part 1 Section 1 - Legislative authority; initiative and referendum

Section 1. (1) Senate; house of representatives; reservation of power to people. The legislative authority of the state shall be vested in the legislature, consisting of a senate and a house of representatives, but the people reserve the power to propose laws and amendments to the constitution and to enact or reject such laws and amendments at the polls, independently of the legislature; and they also reserve, for use at their own option, the power to approve or reject at the polls any act, or item, section, or part of any act, of the legislature.

(2) Initiative power. The first of these reserved powers is the initiative. Under this power ten per centum of the qualified electors shall have the right to propose any **measure**, and fifteen per centum shall have the right to propose any amendment to the constitution.

(3) Referendum power; emergency **measures**; effective date of acts. The second of these reserved powers is the referendum. Under this power the legislature, or five per centum of the qualified electors, may order the submission to the people at the polls of any **measure**, or item, section, or part of any **measure**, enacted by the legislature, except laws immediately necessary for the preservation of the public peace, health, or safety, or for the support and maintenance of the departments of the state government and state institutions; but to allow opportunity for referendum petitions, no act passed by the legislature shall be operative for ninety days after the close of the session of the legislature enacting such **measure**, except such as require earlier operation to preserve the public peace, health, or safety, or to provide appropriations for the support and maintenance of the departments of the state and of state institutions; provided, that no such emergency **measure** shall be considered passed by the legislature unless it shall state in a separate section why it is necessary that it shall become immediately operative, and shall be approved by the affirmative votes of two-thirds of the members elected to each house of the legislature, taken by roll call of ayes and nays, and also approved by the governor; and should such **measure** be vetoed by the governor, it shall not become a law unless it shall be approved by the votes of three-fourths of the members elected to each house of the legislature, taken by roll call of ayes and nays.

(4) Initiative and referendum petitions; filing. All petitions submitted under the power of the initiative shall be known as initiative petitions, and shall be filed with the secretary of state not less than four months preceding the date of the election at which the **measures** so proposed are to be voted upon. All petitions submitted under the power of the referendum shall be known as referendum petitions, and shall be filed with the secretary of state not more than ninety days after the final adjournment of the session of the legislature which shall have passed the **measure** to which the referendum is applied. The filing of a referendum petition against any item, section, or part of any **measure** shall not prevent the remainder of such **measure** from becoming operative.

(5) Effective date of initiative and referendum **measures**. Any **measure** or amendment to the constitution proposed under the initiative, and any **measure** to which the referendum is applied, shall be referred to a vote of the qualified electors, and shall become law when approved by a majority of the votes cast thereon and upon proclamation of the governor, and not otherwise.

(6) (A) Veto of initiative or referendum. The veto power of the governor shall not extend to an initiative **measure** approved by a majority of the votes cast thereon or to a referendum **measure** decided by a majority of the votes cast thereon.

(6) (B) Legislature's power to repeal initiative or referendum. The legislature shall not have the power to repeal an initiative **measure** approved by a majority of the votes cast thereon or to repeal a referendum **measure** decided by a majority of the votes cast thereon.

(6) (C) Legislature's power to amend initiative or referendum. The legislature shall not have the power to amend an initiative **measure** approved by a majority of the votes cast thereon, or to amend a referendum **measure** decided by a majority of the votes cast thereon, unless the amending legislation furthers the purposes of such **measure** and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to amend such **measure**.

(6) (D) Legislature's power to appropriate or divert funds created by initiative or referendum. The legislature shall not have the power to appropriate or divert funds created or allocated to a specific purpose by an initiative **measure** approved by a majority of the votes cast thereon, or by a referendum **measure** decided by a majority of the votes cast thereon, unless the appropriation or diversion of funds furthers the purposes of such **measure** and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to appropriate or divert such funds.

(7) Number of qualified electors. The whole number of votes cast for all candidates for governor at the general election last preceding the filing of any initiative or referendum petition on a state or county **measure** shall be the basis on which the number of qualified electors required to sign such petition shall be computed.

(8) Local, city, town or county matters. The powers of the initiative and the referendum are hereby further reserved to the qualified electors of every incorporated city, town, and county as to all local, city, town, or county matters on which such incorporated cities, towns, and counties are or shall be empowered by general laws to legislate. Such incorporated cities, towns, and counties may prescribe the manner of exercising said powers within the restrictions of general laws. Under the power of the initiative fifteen per centum of the qualified electors may propose **measures** on such local, city, town, or county matters, and ten per centum of the electors may propose the referendum on legislation enacted within and by such city, town, or county. Until provided by general law, said cities and towns may prescribe the basis on which said percentages shall be computed.

(9) Form and contents of initiative and of referendum petitions; verification. Every initiative or referendum petition shall be addressed to the secretary of state in the case of petitions for or on state **measures**, and to the clerk of the board of supervisors, city clerk, or corresponding officer in the case of petitions for or on county, city, or town **measures**; and shall contain the declaration of each petitioner, for himself, that he is a qualified elector of the state (and in the case of petitions for or on city, town, or county **measures**, of the city, town, or county affected), his post office address, the street and number, if any, of his residence, and the date on which he signed such petition. Each sheet containing petitioners' signatures shall be attached to a full and correct copy of the title and text of the **measure** so proposed to be initiated or referred to the people, and every sheet of every such petition containing signatures shall be verified by the affidavit of the person who circulated said sheet or petition, setting forth that each of the names on said sheet was signed in the presence of the affiant and that in the belief of the affiant each signer was a qualified elector of the state, or in the case of a city, town, or county **measure**, of the city, town, or county affected by the **measure** so proposed to be initiated or referred to the people.

(10) Official ballot. When any initiative or referendum petition or any **measure** referred to the people by the legislature shall be filed, in accordance with this section, with the secretary of state, he shall cause to be printed on the official ballot at the next regular general election the title and number of said

measure, together with the words "yes" and "no" in such manner that the electors may express at the polls their approval or disapproval of the **measure**.

(11) Publication of **measures**. The text of all **measures** to be submitted shall be published as proposed amendments to the constitution are published, and in submitting such **measures** and proposed amendments the secretary of state and all other officers shall be guided by the general law until legislation shall be especially provided therefor.

(12) Conflicting **measures** or constitutional amendments. If two or more conflicting **measures** or amendments to the constitution shall be approved by the people at the same election, the **measure** or amendment receiving the greatest number of affirmative votes shall prevail in all particulars as to which there is conflict.

(13) Canvass of votes; proclamation. It shall be the duty of the secretary of state, in the presence of the governor and the chief justice of the supreme court, to canvass the votes for and against each such **measure** or proposed amendment to the constitution within thirty days after the election, and upon the completion of the canvass the governor shall forthwith issue a proclamation, giving the whole number of votes cast for and against each **measure** or proposed amendment, and declaring such **measures** or amendments as are approved by a majority of those voting thereon to be law.

(14) Reservation of legislative power. This section shall not be construed to deprive the legislature of the right to enact any **measure** except that the legislature shall not have the power to adopt any **measure** that supersedes, in whole or in part, any initiative **measure** approved by a majority of the votes cast thereon or any referendum **measure** decided by a majority of the votes cast thereon unless the superseding **measure** furthers the purposes of the initiative or referendum **measure** and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to supersede such initiative or referendum **measure**.

(15) Legislature's right to refer **measure** to the people. Nothing in this section shall be construed to deprive or limit the legislature of the right to order the submission to the people at the polls of any **measure**, item, section, or part of any **measure**.

(16) Self-executing. This section of the constitution shall be, in all respects, **self-executing**.

"MEASURE" or "MEASURES" = 55 times

"RESOLUTION" or "RESOLUTIONS" = 0 times

"ORDINANCE" or "ORDINANCES" = 0 times

The Title 19 statutes use very similar language, too.